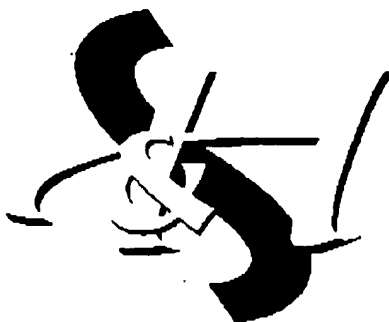


NOV 28 2005



smith & hopen, p.a.

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Fax

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Tracy Vivlemore	Client:	1372.138.PRC
Fax:	(571) 273-8300	Pages:	4 including coversheet
Phone:	(571) 272-2914	Date:	November 28, 2005
Re:	USSN 10/711,101	CC:	University of South Florida (Assignee)

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Vivlemore:

In response to the non-final office action mailed October 28, 2005, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated November 28, 2005 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,

Thomas E. Toner
Reg. No. 57,422

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

NOV 28 2005

Practitioner's Docket No. 1372.183.PRC

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of: **George Blanck et al.**Serial No.: **10/711,101**Filed: **08/23/2004**For: **OCT-1 as an Oncoprotein**Art Unit: **1635**
Examiner: **Tracy Vivlemore**
Confirmation: **5100**Faxed to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

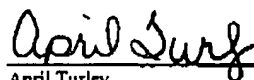
3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.


SIGNATURE OF PRACTITIONERThomas E. Toner
Smith & Hopen, P.A.
15950 Bay Vista Drive, Ste. 220
Clearwater, FL 33760
(727) 507-8558Reg. No.: 57,422
Customer No.: 21,901**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1635, Attn: Tracy Vivlemore, (571) 273-8300 on November 28, 2005.

Dated: November 28, 2005


April Turley

(Amendment Transmittal—page 1)

NOV 28 2005

Practitioner's Docket No.: 1372.183.PRC

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: George Blanck et al.

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Art Unit: 1635

Examiner: Tracy Vivlemore

Confirmation: 5100

Faxed to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed October 28, 2005, having a shortened statutory period for response set to expire November 28, 2005 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute claims 1-3, drawn to a method of modulating growth of a tumor by inhibiting OCT-1 mRNA function, classifiable in class 514, subclass 44. This election is made without traverse.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH & HOPEN

Dated: November 28, 2005

By:

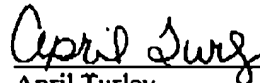
Thomas E. Toner
Reg. No. 57,422
Suite 220
15950 Bay Vista Drive
Clearwater, FL 33760
(727) 507-8558
Attorneys for Applicant

pc: University of South Florida (Assignee)

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1635, Attn: Tracy Vivlemore, (571) 273-8300 on November 28, 2005.

Dated: November 28, 2005



April Turley